

MESSAGE NO: 2089302 MESSAGE DATE: 03/29/2012

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: OTH-Other PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 77 FR 17422 FR CITE DATE: 03/26/2012

REFERENCE 1308303, 2087301
MESSAGE #
(s):

CASE #(s): A-201-839

EFFECTIVE DATE: 03/26/2012 COURT CASE #:

PERIOD OF REVIEW: 01/01/2010 TO 12/31/2010

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL AFFIRMATIVE DETERMINATION OF CRITICAL CIRCUMSTANCES IN THE
ANTIDUMPING DUTY INVESTIGATION OF BOTTOM MOUNT COMBINATION
REFRIGERATOR-FREEZERS FROM MEXICO (A-201-839)

1. ON 03/26/2012, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS AFFIRMATIVE FINAL DETERMINATION OF SALES AT LESS-THAN-FAIR-VALUE AND AFFIRMATIVE CRITICAL CIRCUMSTANCES DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF BOTTOM MOUNT COMBINATION REFRIGERATOR-FREEZERS FROM MEXICO (77 FR 17422). THIS MESSAGE PERTAINS TO THE CRITICAL CIRCUMSTANCES DETERMINATION. SEE MESSAGE 2087301, DATED 3/27/2012, FOR THE FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE.

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE DESCRIBED IN MESSAGE 1308305 DATED 11/04/2011.

3. THIS INVESTIGATION HAS BEEN ASSIGNED INVESTIGATION NUMBER A-201-839.

4. COMMERCE HAS DETERMINED THAT CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF BOTTOM MOUNT COMBINATION REFRIGERATOR-FREEZERS FROM MEXICO FROM SAMSUNG ELECTRONICS MEXICO S.A. DE C.V. CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 08/04/2011. EFFECTIVE 03/26/2012, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF BOND EQUAL TO THE MARGIN LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE.

THE DESIGNATION OF "M" IN THE APPENDED TABLE APPLIES WHERE THE MERCHANDISE WAS PRODUCED BY, EXPORTED BY, OR PRODUCED AND/OR EXPORTED BY THE NAMED COMPANY.

5. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT OR BONDING RATE WILL BE THE MANUFACTURER'S RATE.

B. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE "ALL OTHER" RATE OF 20.26 PERCENT TO ESTABLISH THE CASH DEPOSIT OR BONDING RATE.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CBP OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING DUTIES, CBP OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O2: KJ).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-201-839-004	15.95%	M		Samsung Electronics Mexico, S.A. de C.V.